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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE ONLINE DVD RENTAL ANTITRUST LITIGATION	**Master File No. M:09-CV-2029 PJH** **MDL No. 2029** **Hon. Phyllis J. Hamilton**
This document relates to: **ALL ACTIONS**	**STIPULATION AND [~~PROPOSED~~] ORDER RE CENTRALIZATION OF RELATED CASES IN MDL No. 2029**
After consultation with the Clerk of Court, this document also is being filed in the following related cases: Sheeler, Jr. v. Walmart.com, et al. (Case No. C 09-0274 PJH) Chapman v. Netflix, Inc., et al.	

Dockets.Justia.com

(Case No. C 09-0294 PJH) Orozco v. Netflix, Inc., et al. (Case No. C 09-0297 PJH) Landels, et al. v. Netflix, Inc., et al. (Case No. C 09-0340 PJH) Grime v. Netflix, Inc., et al. (Case No. C 09-0349 PJH) Meyer v. Walmart.com, et al. (Case No. C 09-0361 PJH) Randall v. Walmart.com, et al. (Case No. C 09-0368 PJH) Hirsch v. Netflix, Inc., et al. (Case No. C 09-0375 PJH) Miscioscia v. Netflix, Inc., et al. (Case No. C 09-0377 PJH) Chatelain v. Netflix, Inc., et al. (Case No. C 09-0391 PJH) Patras v. Netflix, Inc., et al. (Case No. C 09-00378 PJH) Weiner v. Walmart.com USA LLC, et al. (Case No. C 09-00398 PJH) Millrood v. Walmart.com USA LLC, et al. (Case No. C 09-00399 PJH) Kober v. Walmart.com USA LLC, et al. (Case No. C 09-00400 PJH) Lacabe v. Walmart.com USA LLC, et al. (Case No. C 09-00402 PJH) Roy v. Netflix, Inc., et al. (Case No. C 09-00434 PJH) Bruno, et al. v. Walmart.com USA LLC, et al. (Case No. C 09-00445 PJH) Zaker v. Netflix, Inc., et al. (Case No. C 09-00447 PJH) Parikh v. Netflix, Inc., et al. (Case No. C 09-00496 PJH) Johnson v. Walmart.com USA LLC, et al. (Case No. C 09-00553 PJH) Gannon v. Walmart.com USA LLC, et al. (Case No. C 09-00554 PJH) Williams v. Netflix, Inc., et al. (Case No. C 09-00678 PJH) Haddad v. Netflix, Inc., et al. (Case No. C-09-00958 PJH) Wiebe v. Netflix, Inc., et al. (Case No. C-09-01274 PJH)	

WHEREAS, by Order dated April 10, 2009, the Judicial Panel on Multidistrict Litigation ("JPML") centralized all cases in MDL No. 2029, *In re Online DVD Antitrust Litigation*, before this Court ("JPML Order");

WHEREAS, the Court entered the JPML Order on April 15, 2009, creating MDL Master Docket M:09-CV-2029 PJH ("Master Docket"), to which all actions subject to that order have been or will be centralized pursuant to 28 U.S.C. § 1407;

WHEREAS, Rule 7.5(a) of the JPML provides that "Potential 'tag along actions' filed in the transferee district require no action on the part of the Panel and requests for assignment of such actions to the Section 1407 transferee judge should be made in accordance with local rules for the assignment of related cases"; and

WHEREAS, each of the above referenced cases (the "Related Cases") has been designated a related case under Civil Local Rule 3-12 to *Resnick et al. v. Walmart.com USA LLC, et al.*, Case No. C-09-0002 ("*Resnick*"),

The undersigned do hereby agree and stipulate that upon the entry of this [Proposed] Order:

1. All Related Cases now pending in this Court shall be designated as Tag Along Actions within the meaning of the Rules of the JPML, as they have been related by this Court to *Resnick.*

2. All Related Cases so designated shall be centralized as soon as is practicable for consolidated or coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407 with those cases already on the Master Docket pending in MDL No. 2029.

3. The terms of this Order shall apply to all cases that have been or may be filed in the Northern District of California and related to *Resnick* under Local Civil Rule 3-12 ("Future Related Cases"). All Future Related Cases shall be designated as Tag Along Actions within the meaning of the JPML Rules, and shall be centralized as soon as is practicable for consolidated or coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407 with those cases already on the Master Docket pending in MDL No. 2029.

DATED: April 27, 2009

Respectfully Submitted,

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BY: /s/ Robert G. Abrams

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And attests in accordance with General Order No. 45 X. B. that concurrence in the filing of the document has been obtained from each of the undersigned counsel:

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[~~PROPOSED~~] ORDER

IT IS SO ORDERED.

DATED: 4/30/09 ______________________

UNITED STATES DISTRICT COURT
IT IS SO ORDERED
Judge Phyllis J. Hamilton
NORTHERN DISTRICT OF CALIFORNIA

HONO[...]N
UNITE[...]